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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|                                          |  |                        |               |
|------------------------------------------|--|------------------------|---------------|
|                                          |  | Application Number     | 10/806,200    |
|                                          |  | Filing Date            | 03/22/04      |
|                                          |  | First Named Inventor   | Yoshio Ohyama |
|                                          |  | Group Art Unit         |               |
|                                          |  | Examiner Name          |               |
| Total Number of Pages in this Submission |  | Attorney Docket Number | KIN100USA     |

## ENCLOSURES (check all that apply)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>- Submission of deficiency in fee due to erroneous establishment of small entity status under 37 C.F.R. §1.28 |
| Remarks:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

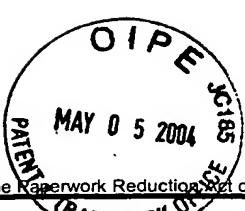
|                         |                      |  |  |
|-------------------------|----------------------|--|--|
| Firm or Individual Name | George A. Smith, Jr. |  |  |
| Signature               |                      |  |  |
| Date                    | 04/28/04             |  |  |

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 04/28/04

|                       |                      |      |          |
|-----------------------|----------------------|------|----------|
| Typed or printed name | George A. Smith, Jr. |      |          |
| Signature             |                      | Date | 04/28/04 |

Burden of Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231



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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(\$)** 385.00

## Complete if Known

|                      |               |
|----------------------|---------------|
| Application Number   | 10/806,200    |
| Filing Date          | 03/22/04      |
| First Named Inventor | Yoshio Ohyama |
| Examiner Name        |               |
| Art Unit             |               |
| Attorney Docket No.  | KIN100USA     |

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number 08-3040  
 Deposit Account Name Howson and Howson

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity        | Fee Code (\$) | Small Entity | Fee Code (\$) | Fee Description        | Fee Paid |
|---------------------|---------------|--------------|---------------|------------------------|----------|
| 1001                | 770           | 2001         | 385           | Utility filing fee     |          |
| 1002                | 340           | 2002         | 170           | Design filing fee      |          |
| 1003                | 530           | 2003         | 265           | Plant filing fee       |          |
| 1004                | 770           | 2004         | 385           | Reissue filing fee     |          |
| 1005                | 160           | 2005         | 80            | Provisional filing fee |          |
| <b>SUBTOTAL (1)</b> |               | <b>(\$)</b>  |               |                        |          |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    |  |              |                |          |
|--------------------|--|--------------|----------------|----------|
| Total Claims       |  | Extra Claims | Fee from below | Fee Paid |
| Independent Claims |  | -20** =      |                |          |
| Multiple Dependent |  | - 3** =      |                |          |

| Large Entity        | Fee Code (\$) | Small Entity | Fee Code (\$) | Fee Description                                            | Fee Paid |
|---------------------|---------------|--------------|---------------|------------------------------------------------------------|----------|
| 1202                | 18            | 2202         | 9             | Claims in excess of 20                                     |          |
| 1201                | 86            | 2201         | 43            | Independent claims in excess of 3                          |          |
| 1203                | 290           | 2203         | 145           | Multiple dependent claim, if not paid                      |          |
| 1204                | 86            | 2204         | 43            | ** Reissue independent claims over original patent         |          |
| 1205                | 18            | 2205         | 9             | ** Reissue claims in excess of 20 and over original patent |          |
| <b>SUBTOTAL (2)</b> |               | <b>(\$)</b>  |               |                                                            |          |

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

| Large Entity                      | Fee Code (\$) | Small Entity                    | Fee Code (\$) | Fee Description                                                            | Fee Paid |
|-----------------------------------|---------------|---------------------------------|---------------|----------------------------------------------------------------------------|----------|
| 1051                              | 130           | 2051                            | 65            | Surcharge - late filing fee or oath                                        |          |
| 1052                              | 50            | 2052                            | 25            | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                              | 130           | 1053                            | 130           | Non-English specification                                                  |          |
| 1812                              | 2,520         | 1812                            | 2,520         | For filing a request for ex parte reexamination                            |          |
| 1804                              | 920*          | 1804                            | 920*          | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                              | 1,840*        | 1805                            | 1,840*        | Requesting publication of SIR after Examiner action                        |          |
| 1251                              | 110           | 2251                            | 55            | Extension for reply within first month                                     |          |
| 1252                              | 420           | 2252                            | 210           | Extension for reply within second month                                    |          |
| 1253                              | 950           | 2253                            | 475           | Extension for reply within third month                                     |          |
| 1254                              | 1,480         | 2254                            | 740           | Extension for reply within fourth month                                    |          |
| 1255                              | 2,010         | 2255                            | 1,005         | Extension for reply within fifth month                                     |          |
| 1401                              | 330           | 2401                            | 165           | Notice of Appeal                                                           |          |
| 1402                              | 330           | 2402                            | 165           | Filing a brief in support of an appeal                                     |          |
| 1403                              | 290           | 2403                            | 145           | Request for oral hearing                                                   |          |
| 1451                              | 1,510         | 1451                            | 1,510         | Petition to institute a public use proceeding                              |          |
| 1452                              | 110           | 2452                            | 55            | Petition to revive - unavoidable                                           |          |
| 1453                              | 1,330         | 2453                            | 665           | Petition to revive - unintentional                                         |          |
| 1501                              | 1,330         | 2501                            | 665           | Utility issue fee (or reissue)                                             |          |
| 1502                              | 480           | 2502                            | 240           | Design issue fee                                                           |          |
| 1503                              | 640           | 2503                            | 320           | Plant issue fee                                                            |          |
| 1460                              | 130           | 1460                            | 130           | Petitions to the Commissioner                                              |          |
| 1807                              | 50            | 1807                            | 50            | Processing fee under 37 CFR 1.17(q)                                        |          |
| 1806                              | 180           | 1806                            | 180           | Submission of Information Disclosure Stmt                                  |          |
| 8021                              | 40            | 8021                            | 40            | Recording each patent assignment per property (times number of properties) |          |
| 1809                              | 770           | 2809                            | 385           | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810                              | 770           | 2810                            | 385           | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801                              | 770           | 2801                            | 385           | Request for Continued Examination (RCE)                                    |          |
| 1802                              | 900           | 1802                            | 900           | Request for expedited examination of a design application                  |          |
| Other fee (specify)               |               | <b>Deficiency in filing fee</b> |               |                                                                            |          |
|                                   |               | 385.00                          |               |                                                                            |          |
| *Reduced by Basic Filing Fee Paid |               |                                 |               |                                                                            |          |
|                                   |               | <b>SUBTOTAL (3)</b>             |               |                                                                            |          |
|                                   |               | <b>(\$)</b>                     |               |                                                                            |          |
| 385.00                            |               |                                 |               |                                                                            |          |

**SUBMITTED BY** (Complete if applicable)

|                   |                      |                                   |        |           |              |
|-------------------|----------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | George A. Smith, Jr. | Registration No. (Attorney/Agent) | 24,442 | Telephone | 215-540-9200 |
| Signature         |                      |                                   | Date   | 4/28/04   |              |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/806200  
Applicant: Yoshio Ohyama  
Filed: March 22, 2004  
TC/A.U.:  
Examiner:  
Docket No.: KIN100USA  
Customer No. 00270

Confirmation No: \_\_\_\_\_

SUBMISSION OF DEFICIENCY IN  
FEE DUE TO ERRONEOUS  
ESTABLISHMENT OF SMALL  
ENTITY STATUS UNDER  
37 C.F.R. §1.28

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. §1.8(a)(1)(ii)  
(PATENT)

I certify that this paper is being deposited on the date shown below with the United States Postal Service, with sufficient postage, as first class mail and is addressed to "Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450."

Signed \_\_\_\_\_  
Date: \_\_\_\_\_

*George A. Smokey*  
*April 28, 2004*

Sir:

Following the filing of this application, on March 22, 2004, it was discovered that the applicant's status as a small entity was established in error. The applicant is not entitled to small entity status and submits herewith the deficiency required by 37 C.F.R. §1.28, as determined by the itemization below.

Particular type of fee that  
was erroneously paid: Basic statutory filing fee

Current fee amount for non-small entity: \$770

Small entity fee actually paid on  
March 22, 2004: \$385

Deficiency amount owed \$385

Total deficiency payment owed  
(check enclosed) \$385

05/07/2004 AWONDAF1 00000056 10806200

01 FC:1001

770.00 OP

Application No.: 10/806200  
This paper dated: April 28, 2004

Please charge any deficiency or processing fee to our deposit account 08-3040.

Respectfully submitted,  
HOWSON & HOWSON

By

  
George A. Smith, Jr.  
Reg. No. 24,442  
Howson & Howson  
Box 457  
Spring House, PA 19477  
Telephone: 215 540 9200  
Facsimile: 215 540 5818

Enclosure:  
Check for \$385